

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES H. ROGERS,

Plaintiff

vs.

MHU STAFF; CORRECTIONAL
OFFICERS; SCI WESTERN PEN PGH,
Defendants

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) Civil Action No. 10-27 Erie

) Chief U.S. District Judge Gary L. Lancaster

) Chief U.S. Magistrate Judge Amy Reynolds Hay

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ORDER

AND NOW, this 3rd day of June, 2010, after the Plaintiff, James H. Rogers,

filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until May 14, 2010, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Complaint is dismissed for failure to prosecute this action for failure to obey a court order.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.


GARY L. LANCASTER

Chief United States District Judge

cc: Honorable Amy Reynolds Hay
Chief United States Magistrate Judge

James H. Rogers
FE-9381
SCI Albion
10745 Rt 18
Albion, PA 16475

All Counsel of Record by electronic filing